

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 23-cr-20152

vs.

HON. MARK A. GOLDSMITH

JACK EUGENE CARPENTER III,

Defendant.

**ORDER GRANTING GOVERNMENT’S MOTION FOR COMPETENCY
EVALUATION (Dkt. 20)**

Before the Court is the Government’s motion under 18 U.S.C. § 4241 for the Court to commit Defendant Jack Eugene Carpenter III to the custody of the Attorney General of the United States for a psychiatric or psychological examination to determine whether he is competent to stand trial (Dkt. 20). For the reasons that follow, the Court grants the Government’s motion.¹

A court must grant a motion for a hearing to determine a defendant’s mental competency “if there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.” 18 U.S.C. § 4241(a). Prior to the date of such a hearing, “the court may order that a psychiatric or psychological examination of the defendant be conducted, and that a psychiatric or psychological report be filed with the court” § 4241(b). Once a party moves under § 4241, “unless the

¹ In addition to the Government’s motion, the briefing also includes Carpenter’s response (Dkt. 21) and Carpenter’s reply (DKt. 23). The Court held a hearing on the Government’s motion on June 6, 2023, after which each party submitted proposed findings of fact and conclusions of law.

motion is frivolous or is not made in good faith, the District Judge must appoint a psychiatrist to examine the accused.” United States v. Jackson, 179 F. App’x 921, 933 (6th Cir. 2006) (punctuation modified) (affirming magistrate judge’s decision to order evaluation under “liberal ‘reasonable cause’ standard of § 4241”).

Factors that are “relevant in determining whether further inquiry is required” as to a defendant’s competency include “evidence of a defendant’s irrational behavior” and “his demeanor.” Drope v. Missouri, 420 U.S. 162, 180 (1975). “[E]ven one of these factors standing alone may, in some circumstances, be sufficient.” Id. (finding that court erred by proceeding with criminal trial where there was “evidence of [defendant’s] irrational behavior” and court declined to obtain “opinion evidence as to petitioner’s competence to stand trial”).

The Government has identified several incidents of irrational behavior exhibited by Carpenter that create reasonable cause to doubt his mental competency. The following Twitter posts exemplify Carpenter’s irrational belief that members of law enforcement and Jewish individuals are conspiring to wrongfully detain, steal from, or kill him, and that he is justified in using deadly force against them:

- February 17, 2023, 14:39:51: “Any Jewish person holding a public office on my land after that time is subject to immediate punishment for their participation in an unlawful war of aggression using a biological weapon against me. You may leave, confess and resign to live a private life or”
- February 18, 2023, 03:00:34: @claushetting @DrTedros @POTUS @FBI @CIA @ODNIGov @ADL @Israel @masonicnetwork “I’m heading back to Michigan now threatening to carry out the punishment of death to anyone that is jewish in the Michigan govt if they don’t leave, or confess, and now that kind of a problem, because I can Legally do that, right?”
- February 15, 2023, 07:54:26: @MichStatePolice @Wsheriff “I’ll be coming back to Michigan, still driving with expired plates. You may want to let everyone know, and Wayne County sheriff as well, any attempt to subdue me will be met with deadly force in self defense. I’ll test out that that whole no weapon.”

- February 15, 2023, 07:57:06: @MichStatePolice @Wsheriff “Forged against me will prosper + I’m your boss + I’m immune from arrest thing. Polite notice I’m not playing games with people who tried to kill me, and steal from me.”
- February 15, 2023, 08:03:17: @MichStatePolice @Wsheriff “Moon magic people planning a hit to avoid court that I know monitor this account, fucking try me...”
- February 3, 2023, 22:51:55: @POTUS @FBI @DOJPH @MichStatePolice @Wsheriff @CIA @ODNIGov @ADL @schulztradelaw “The Jewish plots to kill me and/or hide me. What’s up @DrTedros? <https://t.co/09TbzUlJyX>.”
- February 8, 2023, 08:04:22: @mspwestmi @MichStatePolice “Lol, fitting. Anyway, you guys are about to be famous for your plot to kill me and steal from me. You ready? Watch what I do now.”
- February 17, 2023, 03:28:36: @POTUS @FBI @DOJPH “Then you manufactured evidence against me to have me arrested, and created a plot to have what I created stolen from me, complete with @Wsheriff and @MichStatePolice arresting in false charges to get my DNA and fingerprints on file, and swapping then with a CIA agent.”

The Government submits that Carpenter expanded on these irrational beliefs in statements made to law enforcement. Carpenter told law enforcement that he was targeting Jewish members of the Government—several of whom he identified by name—because Israel is using the COVID vaccine as a biological weapon against the United States.

Other Twitter posts indicate that Carpenter has a belief that the CIA and Mossad—the central intelligence agency of Israel—“assigned” him his girlfriend, abused her, and exercised control over her to influence Carpenter:

- February 1, 2023, 16:00:02: @FBI “You guys looking into why my girlfriend of 8 years was assigned to me by the @CIA and offered a promotion to mentally break me befits I could expose the covid injections are illegal to claim are ‘safe’ or ‘effective’ under 21 CFR 312.7? I’m dismantling this org too.”
- February 13, 2023, 03:04:13: @prageru “That the cia/MOSSAD date raping my girlfriend, and using tech to turn her against me to prevent me from telling people that EUA medication is illegal to say is ‘safe’ or ‘effective’ under 21 CFR 312.7 is morally reprehensible.”
- February 14, 2023, 14:00:47: @POTUS @FBI @DOJPH @MichStatePolice @Wsheriff @CIA @ODNIGov @ADL @Israel @masonicnetwork “While I was begging for her to be

returned to me so I could heal her? After I explained that she was drugged, date raped, hypnotized to turn on me, lied to, and threatened, my pleas went unanswered so these people could break my heart, and steal my nation for power and clout?”

Additionally, Carpenter has expressed a belief that he is the head of an independent government operating within the territorial limits of the United States. The Government represents that Carpenter told law enforcement that he had seized nine square miles of land, created his own sovereign government named the “Kingdom of Heaven,” and made himself head of that government. Carpenter also authored a “Declaration of Sovereignty” that he posted on Twitter, declaring the formation of “The Kingdom of Heaven,” claiming nine square miles of land as “New Jerusalem,” and naming himself “King of Israel.”

Certain Twitter posts demonstrate multiple of Carpenter’s irrational beliefs, including the following:

- February 14, 2023, 04:51:43: @RandPaul @POTUS @DeptofDefense “Well, like you they know I declared independence, seized 9 Sq miles of land because I was left in want of a neutral Magistrate. The Michigan was ceded, then the entire US. Then the CIA/MOSSAD tried to create a fake me to steal what I created, and planned to suicide my daughter.”

This series of irrational behavior is more than sufficient to create reasonable cause to believe that Carpenter may be suffering from some mental defect rendering him mentally incompetent to stand trial. See 18 U.S.C. § 4241(a); Drope, 420 U.S. at 180. Carpenter has not suggested—and the Court has no reason to suspect—that the Government’s motion is frivolous or not made in good faith, see Resp., which strongly indicates that an examination into Carpenter’s competency is appropriate, see Jackson, 179 F. App’x at 933. Further evidence may well demonstrate that Carpenter is competent to stand trial, but at this stage, the Court is duty-bound to seek a professional opinion.

Accordingly, the Court grants the Government's motion. Pursuant to 18 U.S.C. §§ 4241 and 4247, it is ordered that:

1. a psychiatrist or psychologist employed by the United States be appointed, authorized, and directed to examine the mental condition of Carpenter, see §§ 4241(a),(b), 4247(b);
2. Carpenter be remanded and committed to the custody of the Attorney General for such psychiatric or psychological examination for a period not to exceed 30 days, see §4247(b);
3. the Government, however, may apply for a reasonable extension not to exceed 15 days, see id.;
4. the Attorney General, through the Bureau of Prisons, will inform the Assistant U.S. Attorney once Carpenter has been designated to a suitable facility, in order to arrange for Carpenter's transportation to and from such facility, and Carpenter's counsel will be notified by the Assistant U.S. Attorney of the designated facility;
5. the examining psychiatrist or psychologist prepare, as soon as practical, a written report that includes (1) Carpenter's history and present symptoms; (2) a description of the psychiatric, psychological, and medical tests that were employed and their results; (3) the examiner's findings; and (4) the examiner's opinions as to diagnosis, prognosis, and whether Carpenter is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, see 18 U.S.C. §§ 4241(b), 4247(c);
6. the examiner promptly file the written report with this Court and provide copies of the report to defense counsel and the Assistant U.S. Attorney, see §4247(c); and the examining psychiatrist or psychologist produce to defense counsel and the Assistant U.S. Attorney copies of all records and documents that were reviewed, created, or relied upon in forming the basis of the opinion regarding the Carpenter's mental condition; and,
7. the period beginning with the Government's motion and ending with the conclusion of the competency hearing, see id. §§ 4241(c), 4247(d), which will take place at a date and time set by the Court, after the Court and parties receive the examiner's written report, be deemed excludable delay under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (h)(1)(F), and that the period beginning the day after the conclusion of the competency hearing and ending with the Court's ruling on Carpenter's mental competency or with the lapse of 30 days, whichever occurs first, be deemed excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(H).

SO ORDERED.

Dated: June 22, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge